

FILED

2016 AUG 17 AM 10:27

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
DAYTON, OHIO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DELANTE L. LUNN,

Defendant.

) I N D I C T M E N T

)

)

)

)

)

)

)

)

)

1 16 CR 258

CASE NO. _____

Title 21, §§ 841(a)(1) and

(b)(1)(C), United States Code

Title 21, § 843(b), United

States Code

COUNT 1

JUDGE NUGENT

The Grand Jury charges:

On or about February 18, 2016, in the Northern District of Ohio, Eastern Division, DELANTE L. LUNN, the defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, and fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

ENHANCED PENALTY UNDER TITLE 21,
UNITED STATES CODE, SECTION 841(b)(1)(C)
(Death or Serious Bodily Injury Resulting from Use of
Controlled Substance)

The allegations of Count 1 are hereby re-alleged and incorporated herein. On or about February 18, 2016, in Elyria, Ohio, IND-1, a person whose identity is known to the Grand Jury, did fatally ingest and overdose on a controlled substance, namely a heroin and fentanyl mixture, which DELANTE L. LUNN had distributed to IND-1.

As a result of DELANTE L. LUNN's distribution of heroin and fentanyl alleged in Count 1, death did result from the use of heroin and fentanyl, Schedule I and II controlled substances, respectively.

All in violation of the enhanced penalty provisions of Title 21, United States Code, Section 841 (a)(1) and (b)(1)(C).

COUNT 2

The Grand Jury further charges:

On or about February 18, 2016, in the Northern District of Ohio, Eastern Division, and elsewhere, DELANTE L. LUNN, the defendant herein, did knowingly and intentionally use a communication facility, to wit: a telephone, to facilitate acts constituting a felony under Title 21, United States Code,

Section 841(a)(1), in violation of Title 21, United States Code, Section 843(b).

COUNT 3

The Grand Jury further charges:

On or about February 19, 2016, in the Northern District of Ohio, Eastern Division, and elsewhere, DELANTE L. LUNN, the defendant herein, did knowingly and intentionally use a communication facility, to wit: a telephone, to facilitate acts constituting a felony under Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 843(b).

COUNT 4

The Grand Jury further charges:

On or about May 6, 2016, in the Northern District of Ohio, Eastern Division, and elsewhere, DELANTE L. LUNN, the defendant herein, did knowingly and intentionally use a communication facility, to wit: a telephone, to facilitate acts constituting a felony under Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 843(b).

COUNT 5

The Grand Jury further charges:

On or about May 6, 2016, in the Northern District of Ohio, Eastern Division, DELANTE L. LUNN, the defendant herein, did

knowingly and intentionally distribute a mixture or substance containing a detectable amount of heroin a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

FORFEITURE

The Grand Jury further charges:

For the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, the allegations of Counts 1 through 5 are incorporated herein by reference. As a result of the foregoing offenses, defendant DELANTE L. LUNN shall forfeit to the United States any and all property constituting, or derived from, any proceeds he obtained, directly or indirectly, as the result of such violations; and any and all of his property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations.

A TRUE BILL.

Original document -- Signatures on file with the Clerk of Courts pursuant to the E-Government Act of 2002.